

Indian Electoral System and Politics: A Critical Analysis

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ABSTRACT

Electoral reforms enhance the electoral process, ensuring integrity, transparency, fairness, and democratic participation. This paper focuses on two types of franchise limited, adult or universal franchise and restricted or limited franchise. It is the Election Commission which is vested under Article 324 of Indian Constitution with the duty of conducting free and fair elections. India is the largest democracy in the world.

Elections are the most integral and important part of politics in a democratic system of governance. This paper enhances the two types of elections-direct and indirect, direct democracy and indirect democracy. Hence, the Election Commission is controlled and structured electoral process in India.

Keywords: democracy, electorate, elections, process, legislature political, party and system

INTRODUCTION

Electorate is an important part of the democratic process. The notion of electorate is tied up with the practice of indirect democracy. It forms the basis of election of representatives. It is the entire population of the country, excluding those who do not possess the right to vote. It is the foundation upon which the entire structure of government is established. The idea of electorate is linked with the practice of indirect democracy. Electorate is the body of people in a democratic state, which has the power to elect representatives to the legislature. It is the practical expression of popular sovereignty in modern times.

There are two types of franchise Limited, and Adult or Universal franchise. Restricted or limited franchise gives the right to vote to only those who possess certain qualifications such as educational or property qualification. Adult or Universal franchise refers to the right to vote to all persons who have attained a particular age viz., 21 years or 18 years. Adult franchise has a number of advantages such as development of individual personality, political education, etc. It also suffers from certain defects such as rule of ignorance, neglect of persons qualified by education or property, etc

There are two types of elections-Direct and indirect. When, people elect the representatives directly it is direct elections. Whereas, when people elect a college or body of voter, who in turn elect the representatives, it is known as indirect elections, both methods of election have their own advantages and disadvantage. "In some cases heads of state inherit the position through a monarchy whereas others are indirectly or directly elected such as presidents" (Prindle, David F. 1991:71)

"Direct election is a system of choosing political officeholders in which the voters directly cast ballots for the persons or political party that they want to see elected. The method by which the winner or winners of a direct election are chosen depends upon the electoral system used. The most commonly used systems are the plurality system and the two-round system for single-winner elections, such as a presidential election, and plurality block voting and proportional representation for the election of a legislature or executive" (Bormann, Nils-Christian; Golder, Matt, 360)

In India, elections are conducted by the Election Commission. It is an all India body. It has been established by the Constitution of India and is empowered to conduct elections to Parliament, State legislatures, the offices of the President and Vice-President. Electronic Voting Machines have been introduced in our country to overcome poll malpractices and also to simplify the voting procedure. For similar reasons voter identity cards have been issued.

The Election Commission has now made it mandatory for the candidates to disclose details pertaining to any criminal background, educational qualification and property. Another significant with regard to electoral reform has been state funding of election expenditure.

Universal adult franchise refers to the principle that all adult citizens of the state must be given in the right to vote. There can be no discrimination between adults on the basis of caste, creed, sex, colour, religion or wealth. “Democratic theorists, especially those hoping to achieve more universal suffrage, support presumptive inclusion, where the legal system would protect the voting rights of all subjects unless the government can clearly prove that disenfranchisement is necessary” (Hamilton, Vivian E. 2012) Under this system voting right is given to all citizens on attaining a prescribed age like 18 years. India has universal adult franchise.

Restricted or limited franchise implies that all the people in a State are not given the right to vote. Franchise is subject to certain restrictions or limitations. In some countries the right to vote may be restricted to men only or to those who possess educational or property qualifications. “Limited voting (also known as partial block voting) is a voting system in which electors have fewer votes than there are positions available. The positions are awarded to the candidates who receive the most votes. In the special case in which the voter may vote for only one candidate and there are two or more posts, this system is called the single non-transferable vote or sometimes the strictly limited vote” (Enid Lakeman & James Labert 1955)

Election is a process or procedure, laid down by laws or Constitution, to enable citizens to choose their representatives to the legislature or executive. In an election every voter goes to the polling station and casts his vote for a candidate of his choice. The candidate securing the highest number of votes is declared elected.

Direct democracy means the people manage the affairs of government themselves. They participate and take active part in the governance of the State. Ancient Greek cities practiced direct democracy. In direct democracy the people decide on policies without any intermediary or representative, whereas in a representative democracy people vote for representatives who then enact policy initiatives” (Budge, Ian 2001)

Indirect democracy or representative democracy means that the people elect their representatives to the legislature and executive. The representatives run the government of the country on behalf of the people. In modern times indirect democracy is the only form of democracy. “Indirect democracy, or representative democracy, is when citizens elect representatives to make laws for them. This is what most modern countries have today”(Wikipedia- Indirect Democracy)

Direct democratic devices are used to involve the people in governmental process of the country. These are initiative, referendum and recall. These devices are followed in a few cantons of Switzerland. “Direct democracy or pure democracy is a form of democracy in which the electorate directly decides on policy initiatives, without elected representatives as proxies, as opposed to the representative democracy model which occurs in the majority of established democracies” (Wikipedia-Direct democracy)

Under the system of universal Adult Franchise, voter can cast his vote for any candidate he pleases by Indicating his choice on the ballot paper, which he deposits into a closed and sealed ballot box. He is not required to write his name on the ballot paper or reveal his identity in any manner. There is complete secrecy in the method of Secret Ballot. “A secret ballot is a type of vote where the voter's choices are anonymous. This is to make bribery or intimidation of voters more difficult” (Samuel Eagle Forman, 1961: 273)

When the voters directly participate in elections and choose their representatives, it is known as direct election. Every voter goes to the polling booth and casts his vote in favour of a candidate of his choice. Example: Switzerland. An election, in which the people do not elect the representatives directly, is known as Indirect election People elect the electors or intermediary voters, who form an electoral college, which in turn elects the representatives This method is used in the election of the American and Indian Presidents. Example: India.

Constituency refers to the territorial units into which the total area of a State is divided for purposes of election. The representative is elected from the constituency from among the different contestants. All constituencies are equal or approximately equal in size or population. A State is divided into a number of territorial units or constituencies for the purpose of election of candidates. If only one member is to be chosen from each constituency. It is known as a single member constituency. In this case the constituency enjoys a single seat or representative in the legislature. A State may be divided into less number of electorate districts or constituencies than the number of seats in the legislature. In this case two or more representatives require to be elected from each constituency. This is known as multi-member constituency.

Re-election implies the right of a representative, who has completed his term, to seek election to the office once again, or any number of times. The out-going representative's election once again is known as re-election. Re-election also occurs

when election is conducted once again in a constituency where election has already been completed. Such re-election can be ordered by the Election Commission on grounds of booth capturing, intimidation and other election malpractices.

Electoral College refers to an intermediary 'body of electors' chosen by the people, in a system of indirect elections, to elect the head of the State or any other representative. After it has been constituted the Electoral College elects the chief executive from among several candidates or contestants. The President of USA, the President and Vice-President of India are elected indirectly through an electoral college. The Electoral College is intermediary body acting between the people and the candidates. It elects the representative or the chief executive on behalf of the people. Declaration of assets by the candidate and his relatives in times of elections, disclosure of details of criminal cases filed against the candidates along with the nomination forms.

Electorate is the body of people in a democratic state, who have the power to elect the representatives. Electorate possesses the power of vote. It is ordinarily understood as 'the body of voters in a country. It is the active body of citizens who are given the right to vote. It is a collective body of voters or electors and comprises all those citizens who enjoy the right of franchise. Stephen Leacock's observation brings out the meaning of electorate. He observes, "the electorate, or voters, are sometimes spoken of as the 'political people to distinguish them from those who have not direct legal share in the conduct of public affairs" (wikipedia) . The concept of electorate is connected with indirect democracy. Under indirect democracy, the people elect their representatives who legislate and run the administration on behalf of the people. Thus, the need for representation and the grant of right to vote to the citizens leads to the formation of the electorate.

According to Willoughby, the electorate is "the body of citizens exercising voting or electoral powers" (Wikipedia). Franchise refers to the right to vote. It is the power of the citizen to select his representative. Modern democracy is based on representation, that is, it is indirect. It is, therefore, not workable without the right to vote. Further, the right to vote is the practical expression of popular sovereignty, Democracy become made all men and women are not given the right to vote alone can enable all sections of society to safeguard that special interests. Franchise and representation are interrelation of representation connected and form the very foundation of democracy.

Franchise of the right to vote are of two kinds viz Universal Adult Franchise, and Restricted or Limited Franchise, Under Universal Adult Franchise, all adults above a certain prescribed minimum age (e.g.. 18 years) are given the right to vote. There is no qualification on grounds of sex, education or property. Restricted franchise is not universal and is not given to all adults. The right to vote is restricted to those who have prescribed qualifications such as education, property or wealth. Universal adult franchise is a system in which all adult citizens of a country, excepting the excluded Categories of minors, criminals, insane and bankrupt, enjoy the right to vote. The right to vote is granted without any distinction of caste, creed or sex. There is only a minimum age limit eg all citizens attaining the age of 18 years possess the right to vote in India. This is different from restricted or limited franchise in which only citizens with property or educational qualifications are entitled to vote.

With the advent of representative democracy, franchise or the right to vote has become very important prior to the emergence of democracy, there was no need for the right to vote. In the modern democratic state citizens cannot participate in the governance of the country directly. The modern state is large in size and population. Hence, representatives are elected to run the government and make laws on behalf of the people.

Voters and the exercise of franchise are the foundations of modern democracy. Democracy is based on the principle of equality Political equality is meaningless if people are not granted adult or universal franchise. The right to vote educates the citizens politically, makes them take interest in public affairs and helps them to develop their personality. The average citizen will also become aware of his duties. Thus, democracy cannot work without universal franchise.

The right to vote or franchise is given to all in a democratic State. This is known as Universal Adult Franchise. But certain persons cannot be given this right. The right to vote is a political right granted only to citizens. Aliens do not possess this right. On the basis of age limit minors are not given the right to vote. On the basis of moral considerations, right to vote is not given to criminals, bankrupts and lunatics.

In a democracy and under the system of Universal Adult Franchise two general qualifications are prescribed for a voter these are: a) Citizenship: A person must be a citizen of the State to acquire the right to vote. b) Age: A certain minimum age is a qualification to become a voter. Only adults of 18 years and above are granted the right to vote. Certain other qualifications or restrictions which were prescribed were: Sex, property and education. These are not in practice now-a-days.

There are two methods of electing representatives -direct and Indirect. When the voters directly participate. In elections and choose their representatives, it is known as direct election. Every voter goes to the polling booth and casts his vote in favour of a candidate of his choice. On the other hand, when voters do not directly participate in the election of representatives, it is known as indirect election. The voters elect only an intermediary body, known as an electoral college, which will make the final choice from the contesting candidates. Generally, all first chambers of democratic countries are elected directly. The members of the Lok Sabha in India, the House of Representatives in USA, and the House of Commons in England are elected directly by the people. On the other hand, the President of U.S.A. is elected by an electoral college chosen by the people: the President of India is elected by an electoral college consisting of elected members of Parliament and State Legislative Assemblies.

CONCLUSION

India's election system is one of the largest and most complex in the world. It plays a crucial role in the world's largest democracy. General elections are held to fill up all the seats in the legislature. But some of the legislature may resign, die or may be disqualified. When such vacancies arise, they are filled up through elections which are known as by Elections. India is a constitutional democracy, which has a parliamentary system of government. Voters select a single candidate by marking against the candidate of their choice through electronic voting machines.

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